

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Daniel Locke

v.

Case No. 16-cv-57-SM

Carolyn W. Colvin, Acting Commissioner,
U.S. Social Security Administration

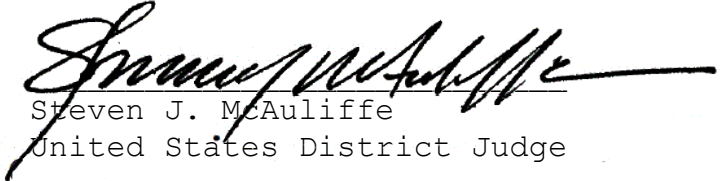
O R D E R

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated November 2, 2016, for the reasons set forth therein. “[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.” School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

The Acting Commissioner's motion to affirm her decision (doc. no.12) is denied, and the Claimant's motion to reverse the decision of the commissioner (doc. no. 9) is granted; and this matter is hereby remanded to the Acting Commissioner for further

proceedings. The Clerk of the Court shall enter judgment in accordance with this order and close the case.

SO ORDERED.



Steven J. McAuliffe
United States District Judge

Date: November 28, 2016

cc: Laurie Smith Young, Esq.
T. David Plourde, AUSA